

IN THE HOUSE OF REPRESENTATIVES.

DECEMBER 2, 1901.

Mr. SCHIRM introduced the following bill; which was referred to the Committee on Interstate and Foreign Commerce and ordered to be printed.

A BILL

To establish the department of commerce and industries.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That there shall be at the seat of government an executive
4 department to be known as the Department of Commerce
5 and Industries, and a secretary of commerce and industries
6 at the head thereof, who shall be appointed by the President,
7 by and with the advice and consent of the Senate, who shall
8 have a seat in the Cabinet, and who shall receive a salary of
9 eight thousand dollars per annum; and section one hundred
10 and fifty-eight of the Revised Statutes is hereby amended to
11 include such department, and the provisions of title four of
12 the Revised Statutes, including all amendments thereto, are
13 hereby made applicable to said department.

14 SEC. 2. That there shall be in said department an
15 assistant secretary of commerce and industries, to be appointed

1 by the President, by and with the advice and consent of the
2 Senate, who shall receive a salary of four thousand dollars a
3 year. He shall perform such duties as shall be prescribed
4 by the Secretary or required by law. There shall also be
5 one chief clerk and such other clerical assistants as may from
6 time to time be authorized by Congress.

7 SEC. 3. That the said department of commerce and
8 industries shall have general jurisdiction over the foreign
9 and internal commerce of the United States, except the col-
10 lection of revenue and the administration of the customs and
11 internal-revenue laws; it shall also have general jurisdiction
12 over all matters pertaining to transportation facilities by land
13 or water, except in cases under the jurisdiction of the Inter-
14 state Commerce Commission; it shall also have general juris-
15 diction over the Geological Survey, the mining industries,
16 and the fishery industries, including the fur-seal, salmon,
17 and other fisheries of Alaska; it shall also have gen-
18 eral jurisdiction over all that pertains to the manufac-
19 turing industries of the United States, including the securing
20 of foreign markets; it shall also have jurisdiction over patents,
21 trade-marks, and copyrights; and it shall also have general
22 jurisdiction over all the matters committed to any of the bu-
23 reaus, offices, departments, or branches of the public service by
24 this Act transferred from other Executive Departments of the
25 Government to the said department of commerce and indus-

1 tries, as fully as the same is now possessed by any of the said
2 departments from whence the same is so transferred.

3 SEC. 4. That the following bureaus, divisions, and
4 branches of the public service, now under the jurisdiction of
5 the Department of the Treasury, and all that pertains to the
6 same, known as the Life-Saving Service, the Light-House
7 Board and the Light-House Service, the Marine-Hospital
8 Service, the Steamboat-Inspection Service, the Bureau of
9 Navigation and the United States Shipping Commissioners,
10 the Bureau of Immigration, the Bureau of Statistics, and the
11 United States Coast and Geodetic Survey, be, and the same
12 hereby are, transferred from the Department of the Treas-
13 ury to the department of commerce and industries,
14 and the same shall hereafter remain under the jurisdic-
15 tion and supervision of the last-named department; and
16 that the office of Commissioner of Railroads and all that
17 pertains to the same, and the Census Office and all that per-
18 tains to the same, and the Patent Office and all that pertains
19 to the same, be, and the same hereby are, transferred from
20 the Department of the Interior to the department of commerce
21 and industries, to remain henceforth under the jurisdiction of
22 the latter; that the Department of Labor and all that pertains
23 thereto, and the office of Commissioner of Fish and Fisheries
24 and all that pertains to the same, and the fishery industry
25 of the United States be, and the same hereby are, placed

1 under the jurisdiction and made a part of the department
2 of commerce and industries; that the Bureau of Foreign
3 Commerce, now in the State Department, be, and the same
4 hereby is, transferred to the department of commerce and manu-
5 factures and consolidated with and made a part of the Bureau
6 of Statistics, hereinbefore transferred from the Treasury
7 Department to the department of commerce and industries;
8 and the chief of said Bureau of Foreign Commerce shall
9 be the assistant chief of the Bureau of Statistics, and that
10 the said consolidated bureau shall hereafter be known
11 as the Bureau of Statistics of Commerce and Industries,
12 and shall have jurisdiction over and compile all sta-
13 tistical information and all statistics pertaining to com-
14 merce, navigation, manufactures, and the various other
15 industries placed under the jurisdiction of the department of
16 commerce and industries; and that the chief of said bureau
17 shall be appointed by the President, by and with the advice
18 and consent of the Senate, and shall hold his office for the
19 term of four years, unless sooner removed by the President, and
20 shall receive the salary now provided by law for the Chief of
21 the Bureau of Statistics in the Treasury Department; that all
22 consular officers of the United States, including consul-gen-
23 erals, consuls, and commercial agents, are hereby required, and
24 it is made a part of their duty, under the direction of the secre-
25 tary of commerce and industries, to gather and compile, from

1 time to time, useful and material information and statistics in re-
2 spect to the commerce, industries, and markets of the countries
3 and places to which such consular officers are accredited, and to
4 send reports quarterly, or oftener if required, of the informa-
5 tion and statistics thus gathered and compiled, to the secre-
6 tary of the department of commerce and industries.

7 That the official records and papers now on file in and
8 relating to the business of any bureau, office, department, or
9 branch of the public service in this Act transferred to the
10 department of commerce and industries, together with the
11 furniture now in use in such bureau, office, department, or
12 branch of the public service, shall be, and hereby is trans-
13 ferred to the department of commerce and industries.

14 SEC. 5. That the jurisdiction, control, and management
15 now possessed and exercised by the Treasury Department in
16 respect to the fur-seal, salmon, and other fisheries of Alaska,
17 be, and the same hereby are, transferred to and vested in the
18 department of commerce and industries.

19 SEC. 6. That there shall be in the department of com-
20 merce and industries a bureau of manufactures, to have
21 charge, under the direction of the secretary of the depart-
22 ment, of the manufacturing interests of the United States, to
23 gather, compile, and publish information in respect to the
24 same, and information in respect to securing markets for our
25 products abroad, and to assist in developing and expanding

1 the manufacturing industries of the United States and the
2 markets for the same; that the President of the United States
3 shall appoint, by and with the advice and consent of the Senate,
4 a chief of the bureau of manufactures, who shall hold his office
5 for the term of four years, unless sooner removed by the Presi-
6 dent, and who shall be entitled to a salary of three thousand
7 dollars a year.

8 SEC. 7. That there shall be in the department of com-
9 merce and industries a bureau of geological survey and min-
10 ing industries, which bureau is hereby vested with general
11 jurisdiction over the geological survey of the United States,
12 as now prescribed by law, and jurisdiction over the mining
13 industries of the United States. It shall be the duty of said
14 bureau to acquire and disseminate practical and useful infor-
15 mation concerning the mineral resources and the mining in-
16 dustries of the United States; that the office of Director of
17 the Geological Survey, and the Geological Survey Service
18 and all that pertains to the same, is hereby transferred from
19 the jurisdiction of the Interior Department to the jurisdiction
20 and supervision of the department of commerce and indus-
21 tries, to remain henceforth under the jurisdiction of the latter;
22 and the Director of the Geological Survey is hereby made
23 the director of said bureau.

24 SEC. 8. That there shall be in the department of com-
25 merce and industries a commission to be known as The
26 Tariff and Trust Commission, which shall consist of five mem-

1 bers, who shall be appointed by the President by and with the
2 advice and consent of the Senate, and shall hold office for the
3 term of six years, excepting in the first appointments under
4 this Act, when the members thereof shall be severally
5 appointed for a term of two, three, four, five, and six years,
6 respectively, and who shall be removable by the President
7 for cause. This commission shall perform such duties as
8 may be prescribed by law, and shall make such inquiries
9 and investigations as the President, the Senate, or the
10 House of Representatives may direct concerning duties
11 upon imports into the United States, and concerning
12 industrial or business combinations. The authority hereby
13 conferred upon the commission shall not be exercised except
14 upon the request or direction of the President, or upon the
15 request or direction of either branch of Congress; and in the
16 conduct of its business said commission shall have the same
17 powers and authority which a committee of Congress would
18 possess in making an investigation under the authority of
19 Congress. Each member of the commission shall receive a
20 salary of four thousand dollars per annum.

21 SEC. 9. That the secretary of commerce and industries
22 shall annually make a report in writing to Congress, which
23 shall contain an account of all moneys received and expended
24 by him; of all acts done by him in promoting and facilitating
25 the development of American commerce, manufactures, and

1 industries; and such recommendations as he shall deem neces-
2 sary to the further extension of our foreign and domestic
3 trade and the development of our industries. He shall also
4 make special investigations and reports on particular subjects
5 whenever required to do so by the President or by either
6 House of Congress, or whenever in his judgment such special
7 investigations and reports shall be required.

8 SEC. 10. That the secretary of commerce and indus-
9 tries shall have charge, in the buildings or premises occupied
10 by or appropriated to the department of commerce and
11 industries, of the library, furniture, fixtures, records, and
12 other property pertaining to it, or hereafter acquired for
13 use in its business; and he shall be allowed to expend
14 for periodicals and the purposes of the library, and
15 for the rental of appropriate quarters for the accommo-
16 dation of the department of commerce and industries
17 within the District of Columbia, and for all other inci-
18 dental expenses, such sums as Congress may provide from
19 time to time: *Provided, however,* That where any bureau
20 proposed to be transferred to the department of commerce
21 and industries by this Act is occupying rented build-
22 ings or premises, they may still continue to do so until
23 other suitable quarters are provided for their use: *And*
24 *provided further,* That all officers, clerks, and employees
25 now employed in any of the bureaus, offices, departments,

1 or branches of the public service in this Act transferred
2 to the department of commerce and industries, are each
3 and all hereby transferred to said department at their
4 present grades and salaries, except where otherwise pro-
5 vided in this Act, and shall continue in office and employ-
6 ment as if appointed under this Act, until otherwise pro-
7 vided by law: *And provided further*, That all laws prescrib-
8 ing the work and defining the duties of the several bureaus,
9 offices, departments, or branches of the public service by this
10 Act transferred to and made a part of the department of
11 commerce and industries, shall, so far as the same are not in
12 conflict with the provisions of this Act, remain in full force
13 and effect until otherwise provided by law.

14 SEC. 11. That the supervision and control of Chinese
15 immigration, now vested in the Treasury Department, is
16 hereby transferred to and vested in the department of com-
17 merce and industries.

57TH CONGRESS, }
1ST Session. } **H. R. 95.**

A BILL

To establish the department of commerce and industries.

By Mr. SCHIRM.

DECEMBER 2, 1901.—Referred to the Committee on Interstate and Foreign Commerce and ordered to be printed.